

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Acharya

Docket No.: NETS0085

Serial No. : 09/975,831

Art Unit: 3625

Filed: 11 October 2001

Examiner: Gart, M.

Title: METHOD AND SYSTEM FOR INTEGRATED ONLINE AND BRICK AND

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MORTAR PROVIDER SHOPPING

May 27, 2003

Assistant Commissioner for Patents

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P.O. Box 1450

Alexandria, VA 22313-1450

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DECLARATION UNDER 37 CFR § 1.132 – ELLEN BUTLER

Sir:

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This Declaration is provided in connection with Applicant's response to the Office Action dated November 29, 2002 for the above-identified patent application.

1. My name is Ellen Butler. I am one of the inventors of the invention claimed in the subject patent application.

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2. Claims 1-25 of the above-identified patent application were rejected in the above Office Action under 35 USC §103(a) for obviousness. The references cited by the Examiner as the basis for this rejection were U.S. Patent No. 6,381,597 issued to Lin, U.S. Patent No. 6,009,413 issued to Webber et al., and U.S. Patent No. 5,758,328

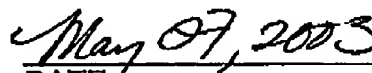
issued to Giovannoli. Lin in view of Webber et al. and Giovannoli do not disclose the invention that is claimed in the application.

3. At the time the invention was made, it was not obvious to combine online
5 providers and offline providers in an integrated list for items searched during an online shopping experience. Including information about a brick and mortar retailer that sells a particular item during an online shopping experience was unique and was not obvious at the time the invention was made. Further, it was not obvious at the time the invention was made to compare online and offline providers for a particular item in
10 response to a user's online search. Lin in view of Webber et al. and Giovannoli would not have made the above obvious given the state of the art at the time the invention was made.

4. I hereby declare that all statements made herein of my own knowledge are true
15 and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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ELLEN BUTLER


DATE